

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**

WINFRED MUCHIRA,

Plaintiff,

vs.

HALAH AL-RAWAF,  
IBRAHIM AL-RASHOUDI,  
FAHAD AL-RASHOUDI,  
LULUH AL-RASHOUDI,  
10686 Waterfalls Lane  
Vienna, VA 22182  
Fairfax County

Defendants.

Civil Action No. 1:14-cv-00770-AJT-JFA

**JURY TRIAL DEMANDED**

**PLAINTIFF'S EMERGENCY MOTION TO EXTEND TIME FOR COMPLYING WITH  
THE COURT'S JANUARY 9 ORDER**

Pursuant to Local Rule 37(F) of the Eastern District of Virginia, Plaintiff Winfred Muchira, by her attorneys, respectfully requests that she be afforded additional time to complete her compliance with the Court's January 9 Order requiring Ms. Muchira "to provide the defendants with a complete response to Document Request No. 38 (including information from plaintiff's remaining two Facebook accounts, her nine e-mail accounts, and her Skype account) and a supplemental response to Interrogatory No. 9 by Friday, January 16, 2015 at 5:00 p.m." See D.I. 83 ("the January 9 Order"). As detailed in a First Supplemental Response to Document Request 38 which was provided to defendants and which counsel will provide a courtesy hard copy to chambers, Ms. Muchira has expended substantial additional efforts to comply with the January 9 Order. Affidavits filed by Ms. Muchira and her counsel included in the supplemental response detail these efforts. To date, those efforts have allowed access to three additional accounts—none of which contained any information relevant to this case. For example, counsel

was able to access the Skype account created by a NGO, the Polaris Project, for Ms. Muchira after she was rescued. The account had never been used. One additional email account was accessed by finally guessing the correct password. The only message that account contained was a notice that people had been trying to access it. The other newly-accessed email account contained auto-generated emails from applications (such as dating websites) and from Gmail. Finally, Ms. Muchira has served a supplemental response to Interrogatory No. 9, as directed by the January 9 Order, on January 15.

For the accounts that Ms. Muchira and counsel remain unable to access, Ms. Muchira's affidavit explains the reasons why she is unable to access them. An affidavit of counsel explains the renewed efforts undertaken in an attempt to access those accounts.

Further, in an attempt to gain access to the contents of currently inaccessible accounts, subpoenas have been served on the relevant service providers. That process has been substantially hindered by the fact that it has required the retention of two additional counsel to comply with ethical constraints. Ms. Muchira has made the broadest truthful declarations she can make in support of those subpoenas, and counsel are prepared to provide any additional consent necessary to secure the production of those accounts, and to consent to the entry of any order necessary to secure compliance. Based on the results to date, counsel believe it unlikely that any relevant information will be discovered, but respectfully request that Ms. Muchira be afforded additional time to complete the process.

Ms. Muchira will continue to produce documents responsive to Document Request No. 38 to the Defendants as they come into her possession, custody, or control.

DATED this 15th day of January, 2015

Respectfully submitted,

/s/ Deborah A. Yates

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*Counsel for Plaintiff*

**CERTIFICATE OF CONSULTATION AMONG COUNSEL**

Pursuant to Local Civil Rules 7(E) and 37(E), I certify that counsel for Plaintiff conferred with counsel for Defendants via e-mail in a good faith effort to resolve the discovery matter at issue in this motion. Defendants indicated they would oppose the motion. However, Defendants further stated that they would be willing to meet-and-confer further. Given that the Court gave Plaintiff until January 16 to comply with its Order, Plaintiff could not conduct further meet and confer sessions before filing this motion in time for the Court's meaningful review before the hearing scheduled for 10:00 am tomorrow (January 16, 2015). However, Plaintiff's counsel will attempt additional meet-and-confer conferences with Defendants' counsel about the issue.

/s/ Deborah A. Yates

Deborah A. Yates (VA Bar No. 74773)

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*Counsel for Plaintiff*

**CERTIFICATE OF SERVICE**

I certify that today, January 15, 2014, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to counsel of record.

/s/ Deborah A. Yates

Deborah Anne Yates

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